

ASSEMBLY BILL

No. 1096

Introduced by Assembly Member Galgiani

February 27, 2009

An act to amend Sections 12220, 12260, and 17501 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1096, as introduced, Galgiani. Elections: precinct maps.

Existing law requires elections officials to prepare either maps or exterior descriptions of precincts each calendar year and to make that information accessible to members of the public upon request. Local elections officials may charge a person requesting copies of the information the cost necessary to reimburse the jurisdiction for its expenses in providing the copies.

This bill would require elections officials to prepare precinct maps each year and authorize them to prepare exterior descriptions of precincts. The bill would require information to be compiled for each election and made available in both print and electronic format.

Existing law requires local elections officials to file updated precinct information, including maps, with the Secretary of State after each general election.

This bill would also require local elections officials to file updated precinct information, including maps, with the Secretary of State after each primary election. The Secretary of State would be required to make this information available in both print and electronic format to a member of the public upon request. The Secretary of State would be authorized to charge a person requesting the information the cost

necessary to reimburse the state for its expenses in providing the information.

Because the bill would impose additional duties upon local elections officials, it would impose a state mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12220 of the Elections Code is amended
2 to read:

3 12220. The elections official shall divide the jurisdiction into
4 precincts and *shall* prepare detail maps ~~or and may prepare~~ exterior
5 descriptions thereof, ~~or both~~, and as many copies as the elections
6 official may determine. The county surveyor, if requested by an
7 elections official, shall provide assistance to the elections official
8 in the preparation of these maps or exterior descriptions.

9 SEC. 2. Section 12260 of the Elections Code is amended to
10 read:

11 12260. (a) The elections official may change or alter any
12 precinct boundaries.

13 (b) If any changes or alterations are made the elections official
14 shall prepare new detail maps ~~or and may prepare~~ exterior
15 descriptions thereof, ~~or both~~. The county surveyor shall, if so
16 requested, provide assistance to the elections official in the
17 preparation of the detail maps or exterior descriptions.

18 (c) The elections official shall provide, at the request of any
19 interested person, the following information:

20 (1) All precinct boundary changes and alterations made within
21 the current calendar year and the immediately preceding two
22 calendar years.

(2) All precinct consolidations made within the current calendar year and the immediately preceding two calendar years, specifying the election or elections in which the consolidations were made.

(3) *All current precinct boundaries and precinct consolidations.*

(d) The information provided to persons pursuant to subdivision (c) shall include the precinct numbers before the change or alteration and then a description, including precinct numbers, of the changes or alterations. The description ~~may~~ *shall* include maps.

(e) The information described in subdivisions (c) and (d) shall be compiled for each ~~calendar year~~ *election* and shall be kept and filed so as to be accessible to any person upon request.

(f) *The information described in subdivisions (c), (d), and (e) shall be available in both print and electronic formats.*

~~(f)~~

(g) The elections official may charge a person requesting information the amount needed to reimburse the jurisdiction for the actual expenses incurred in providing copies of the information required under this section.

SEC. 3. Section 17501 of the Elections Code is amended to read:

17501. (a) Following each *primary and* general election, the county elections official shall file copies of all precinct maps with the Secretary of State. If there is no change in the precinct maps from those maps that are currently on file, in lieu of filing copies of those maps with the Secretary of State, the elections official may submit a written statement informing the Secretary of State of that fact. The Secretary of State shall maintain a file of all the copies for 12 years and shall, upon request, make them ~~available for examination~~ *accessible to any person upon request.*

(b) *The information described in subdivision (a) shall be available in both print and electronic formats.*

(c) *The Secretary of State may charge a person requesting information the amount necessary to reimburse the state for actual expenses incurred in providing copies of information requested under this section.*

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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